

The Westfield-Washington Township Advisory Plan Commission met at 7:00 p.m. on Monday, August 28, 2006 at Westfield Town Hall. Members present were George Clark, Gloria Del Greco, Jack Hart (arrived at 7:45 p.m.), Ginny Kelleher (departed at 8:12 p.m.) , Brian Morales, Bill Sanders, Teresa Skelton, Cindy Spoljaric (departed at 11:41 p.m.), and Carolyn Stevenson. Also present were Kevin Buchheit, Al Salzman, Tom Higgins, Jennifer Miller, and Attorney Brian Zaiger.

Clark moved to approve the July 24, 2006 minutes as presented.

Del Greco seconded, and the motion passed 5-0-3 (Skelton, Kelleher, Spoljaric).

Spoljaric requested petitioners limit their presentations to fifteen minutes due to the lengthiness of the agenda.

Higgins reviewed the Public Hearing Rules and Procedures.

Salzman reviewed continued items on the agenda.

Skelton recused herself at 7:09 for the Centex Homes continuance request.

Mr. Steve Hardin, representing Centex Homes, requested an additional one month continuance on 0605-DP-14 and 0605-SPP-05 to the next scheduled Advisory Plan Commission in September.

Salzman stated HADAH, LLC failed to provide notice 21 days prior to the meeting as required by our statute and is requesting a Waiver of Notice on 0608-DP-19 and 0608-SIT-13 in order to be heard this evening.

Representatives appeared from HADAH, LLC to request a Waiver of Notice on 0608-DP-19 and 0608-SIT-13.

Kelleher asked if any documentation existed.

Salzman stated there was no documentation at this time.

Clark stated with the missing information, he did not believe the Waiver should be approved.

Salzman suggested the petitioners speak with their representative.

OLD BUSINESS

0604-PUD-06 7550 West State Road 32. Ackerson Family Farms, LLC requests a change in zoning for 236 acres from AG-SF-1 to the Ackerson Farm PUD District.

Mr. Nels Ackerson introduced Ms. Karen Jamison; Randy Sherman; Randy Weaver, Weaver Design; and Charlie Frankenberger, Nelson and Frankenberger and presented details of the project. Ackerson focused his presentation on the contribution to the community, character and quality of the Ackerson Farm TND concept, the care used in the process by the Comprehensive Plan Subcommittee in improving

the proposed PUD, and the confidence in the process. He discussed changes made to the proposal at the request of the Comprehensive Plan Subcommittee.

Spoljaric asked about amenity phasing.

Ackerson responded the phasing schedule shows by letter where some of the amenities will be but no specifics on a timeline. However, he stated a commitment could be made to build amenities which coincide with the building schedule.

Sanders suggested the wording, "Amenity sections that are contiguous to a development section will be completed simultaneously with the development."

Ackerson agreed to the above statement.

Salzman asked for clarification on whether this statement would be a commitment or an amendment.

After some discussion, Ackerson stated the commitment to begin amenities during the first phase of construction in an area and have amenities completed by the time the construction is concluded in that area.

Hart arrived at 7:45 p.m.

Kelleher asked if this would be added to the PUD document.

Kelleher stated this would be added to the list of suggested changes from Ackerson.

The decision was made to add this commitment to the nine changes made to the proposal.

Members of the Comprehensive Plan Subcommittee commented on the progress made on this project at the subcommittee level, including comments made by Del Greco, Stevenson, Hart, and Kelleher.

Del Greco questioned the wording on H. Home Occupations, regarding home schooling.

Ackerson stated the objective there was not to turn an individual home into a large schooling operation. He further suggested the clarification and wording, "There would be no more than eight, including members of the family, unless the family itself is larger than eight."

Spoljaric asked for a representative from the Department of Public Works to comment.

Ms. Rene Goff, Town of Westfield, Engineering Department, Public Works stated the DPW continues to work with the petitioners to satisfy requirements.

A Public Hearing opened at 8:05 p.m.

No one spoke, and the Public Hearing closed at 8:06 p.m.

Kelleher moved to send 0604-PUD-06 to the Town Council with a positive recommendation with the following conditions:

1. Final approval of infrastructure standards be clearly granted to WPWD or its successor in the text of the proposed document, and
2. Approval of final site access, where reviewed and approved by an agency other than the Town or its successor, be clearly granted to the Town or its successor in the text of the proposed document.
3. Article 1, No. 33: Before the colon, add the following: (also called "Accessory Building").
4. Article 3, page 4, 3.3. The line should be "Residential District 1," not Residential District 2.
5. Article 3, page 5, 3.3.B.1.g. should be changed to read as follows: "Repair, service or the refurbishing of equipment or parts, other than automobiles or large vehicles, if done entirely within the home or garage with no outside storage."
6. Article 3, page 6, 3.3.C.1. should be changed to read as follows: "Basic Lot Standards are set out in Table 3.3. All lots shall be at least one hundred (100) feet wide."
7. Article 12, page 4, 12.2.V.2. add the following: "including single family lots within the LBH District."
8. Article 13: Delete references to "Hamilton County Highway Department."
9. Article 15, page 1, a: the final word should be "homes," not "areas."
10. Article 18, page 2, 18.6: in the third to last line the word "international" should be replaced with the word, "intentional."
11. Commitment to begin amenities during the first phase of construction in an area and have amenities completed by the time the construction is concluded in that area.
12. Home Schooling: There will be no more than eight, including members of the family, unless the family itself is larger than eight.

Sanders seconded and the motion passed unanimously.

Kelleher left the meeting at 8:12 p.m.

0606-PUD-07 1310 West State Road 32. Wilfong Land Companies, LLC. requests a change in zoning for approximately 856 acres from the AG-SF-1 District to the Eagle Station PUD District.

Mr. Beau Wilfong introduced guests John Dobosiewicz, Jose Kreutz, and Charlie Frankenger, Nelson & Frankenger, reviewed the background on the project, and presented further details of the project including a listing of all individuals the petitioner has met with to discuss the project.

Spoljaric requested this project be sent back to Committee.

Subcommittee members stated their comments on this project and the subcommittee process, and discussion followed on whether to send the project back to the Standards Subcommittee.

Morales stated this project should go back to Committee.

A Public Hearing opened at 8:35 p.m.

Mr. Ron Thomas spoke of his concerns on the project including fiscal issues, schools, and taxes.

Mr. Craig Wood spoke of his concern of there being unanswered questions.

The Public Hearing closed at 8:40 p.m.

Clark moved to send 0606-PUD-07 to the Westfield Town Council with a positive recommendation with the following conditions:

1. Final approval of infrastructure standards be clearly granted to WPWD or its successor in the text of the proposed document, and
2. Approval of final site access, where reviewed and approved by an agency other than the Town or its successor, be clearly granted to the Town or its successor in the text of the proposed document.

Stevenson seconded, and the motion passed 6-2(Morales, Spoljaric)-0.

Sanders stated he has had prior business dealings with the Wilfongs and expressed concern about the potential of conflict with his vote.

Zaiger responded since Sanders has no proprietary interest in Indiana Lang Group nor Wilfong's on going development company, he is adequately separate from this project without conflict.

NEW BUSINESS

0607-PUD-08 3304 East 146th Street. Throgmartin-Henke Development LLP, requests a change in zoning for approximately 100 acres from the SF-2 and SF-3 Districts to the Bridgewater PUD District, and a text amendment to restate and consolidate all prior amendments to the Bridgewater PUD District, affecting the entire 788.349 acres within the Bridgewater PUD District.

Mr. Steve Henke, Throgmartin-Henke, presented background information and details of the request to change zoning including styles, building materials, price ranges, road improvements, commercial uses in the Village Center, density, park area, trails, and tax revenues.

Sanders asked if this would be an anchored retail.

Henke responded no; there would be no big box or a supermarket.

Sanders asked about the price break on the townhomes.

Henke responded \$250,000-400,000.

Spoljaric asked about plans for open space and amenities.

Henke responded members will be part of the Bridgewater Club and there will also be an additional clubhouse and an additional pool. He further stated parks and trails have been added.

A Public Hearing opened at 9:05 p.m.

Mr. Brad Buehler spoke of his concerns about the trails not being public, the proposed retail, and questions and concerns left unanswered.

Mr. Jerry Traicoff spoke of his concerns regarding traffic, noise, and the height of the townhomes.

Ms. Annette Coulombe spoke of her concerns about the rezone.

The Public Hearing closed at 9:17 p.m.

Henke responded to public hearing comments.

Morales asked if any of the businesses will be open 24 hours.

Henke responded no.

Morales asked if it is possible to have pedestrian access from Brentwood Village to the development.

Henke responded at this time Brentwood Village has no external areas to get out of their neighborhood which would allow them access. However, he stated if Brentwood Village ever decided to build such access, agreement would be made to connect to them.

Spoljaric stated 0607-PUD-08 would be forwarded to the Comprehensive Plan Subcommittee at the September 6 meeting.

The Commission took a short recess at 9:26 p.m.

The Commission reconvened at 9:37 p.m.

0607-PUD-09 20416 Grassy Branch Road. C.R. White Development LLC requests a change in zoning for approximately 315 acres from the AG-SF-1 and GB Districts to the Aurora PUD District.

Skelton recused herself and left the meeting at 9:42 p.m.

Mr. Steve Hardin, Baker & Daniels, introduced Mr. Chris White, developer, and presented the details of the project including the various styles, building materials, buffering, community financial contribution, schools, and neighborhood meetings.

Spoljaric stated this is a dense project. She also expressed concern about the lack of open space.

Morales expressed concern about the road cutting through 202nd Street and stated that according to the Hamilton county Thoroughfare Plan, this is not being shown as a primary arterial road, but merely a collector.

A Public Hearing opened at 10:02 p.m.

Mr. Brian Penley expressed concern about density, and whether the surrounding neighbors could have their property rezoned as well.

Mr. Dale McCullough expressed concern about density, environmental impact, traffic, noise, illumination, property values, and offered some suggestions.

Mr. Dave Beck expressed concern about the traffic issues and stated he was not informed of this project until today.

Mr. Joe Plankis spoke about density and lack of sewer capacity.

Ms. Jim Peyton spoke of the standard planning concepts, but stated his disappointment was in the lack of standards.

Mr. Keith Heitman spoke against the project.

Mr. Greg Silcox spoke of the thoroughfare and the traffic issues created on Anthony Road by this project.

Mr. Tom Hammons expressed concern about population density and the presentation of the industrial park.

Mr. Jim Aldis expressed concern about density and lot size and stated the standards would be lowered.

The Public Hearing closed at 10:22 p.m.

Hardin responded to public hearing comments.

Spoljaric asked Goff from Westfield Public Works to comment on the sewer master plan.

Goff commented on the Westside Interceptor Build Out.

Del Greco stated she would like to see the project return with an improved product with less density.

Spoljaric suggested to Hardin that changes be made according to public comments and Commission comments and brought to the Comprehensive Plan subcommittee meeting on September 20.

0608-DP-19 & 17819 Commerce Drive. HADAH LLC requests Development Plan and Site
0608-SIT-13 Plan review of a proposed 4,800 square foot addition to an existing industrial
structure in the EI District.

Mr. J. R. Frieberger, JRF Construction, representing Mr. Andy Weis, Sr. and Mr. Andy Weis, Jr., HADADH, LLC, presented the request for the Waiver of Notice. Frieberger presented the details of the project which is a proposed addition to an existing structure and included use, building materials, and access.

A Public Hearing opened at 10:55 p.m.

No one spoke, and the Public Hearing closed at 10:56 p.m.

Spoljaric asked about the flooring.

Frieberger responded the material for the floor would be concrete sealed flooring.

Clark moved to approve the Waiver for the overhead door.

Spoljaric seconded, and the motion passed unanimously.

Clark moved to approve 0608-DP-19 with the following conditions:

1. That the petitioner complies with any requirements from the Westfield Public Works Department;
2. That the petitioner complies with any requirements from the Hamilton County Surveyor's Office;
3. That a compliant lighting plan be provided prior to the issuance of and ILP for the subject site.
4. That Proof of Notification be provided to the Planning Department before ILP is issued.

Del Greco seconded, and the motion passed unanimously.

Sanders moved to approve 0608-SIT-13 with the following condition:

- That any conditions associated with 0608-DP-19 be satisfied prior to the issuance of an ILP for the subject site.

Hart seconded, and the motion passed unanimously.

0608-DP-20 & 0608-SPP-07	16544 Gray Road. Langston Development requests Development Plan and Preliminary (primary) Plat review of Section 5 of the Brookside subdivision, 89 units on 64.86 acres, in the SF-2 District.
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Mr. Jim Budenbaum, representing Langston Development, presented the details of the requests for Brookside, Section 5 which is to review development plan and plat approval as well as delegation of secondary plat approval and amenity improvements to staff. He discussed price range, timeline, and tree preservation.

A Public Hearing opened at 11:14 p.m.

Mr. Benny Holmes spoke regarding concerns about the drainage issues.

The Public Hearing closed at 11:15 p.m.

Budenbaum responded to public hearing comments.

Clark moved to approve 0608-DP-20 with the following conditions:

1. That the petitioner complies with any requirements from the Westfield Public Works Department;
2. That the petitioner complies with any requirements from the Hamilton County Surveyor's Office;
3. That an amended landscaping plan, depicting compliant on-site shrub plantings, be provided;
4. That a detailed sign plan depicting compliance with all applicable provisions of the Sign Regulations be provided prior to the issuance of an ILP for either proposed freestanding entry monument sign;
5. That these conditions be fulfilled prior to the filing of any Secondary (Final) Plat for the subject site.

Del Greco seconded, and the motion passed unanimously.

A Public Hearing opened on 0608-SPP-07 at 11:22 p.m.

No one spoke, and the Public Hearing closed at 11:23 p.m.

Clark moved to approve 0608-SPP-07 with the following condition:

- That all conditions attached to the associated Development Plan Review shall be satisfied prior to the recording of any secondary plat.

Skelton seconded and the motion passed unanimously.

Budenbaum requested the Plan Commission delegate secondary plat approval to staff.

Sanders moved to delegate secondary plat approval to staff.

Stevenson seconded, and the motion passed by voice vote.

0608-DP-21 & 18333 Shady Nook Road. Cumberland Pointe, LLC requests Development Plan
0608-SPP-08 and Preliminary (primary) Plat review of an Addition to the Andover Place
Townhomes, 24 units on 3 acres, in the Andover PUD District.

A Public Hearing opened on 0608-DP-21, 0608-SPP-08, 0608-DP-22, and 0608-SPP-09 at 11:27 p.m.

No one spoke, and the Public Hearing closed at 11:28 p.m.

Del Greco moved to approve 0608-DP-21 with the following conditions:

1. That the petitioner complies with any requirements from the Westfield Public Works Department;
2. That the petitioner complies with any requirements from the Hamilton County Surveyor's Office;

3. An amended landscaping plan depicting compliance with the applicable buffering and on-site requirements be submitted before the approval of a secondary plat for the subject site.
4. An amended lighting plan depicting compliant foot-candle outlays be submitted before the approval of a secondary plat for the subject site.
5. That these conditions be fulfilled prior to receiving a building permit.

Skelton seconded, and the motion passed 7-0-1 (Sanders).

Hart moved to approve 0608-SPP-08 with the following condition:

- That all conditions attached to the associated Development Plan Review shall be satisfied prior to the recording of any secondary plat.

Clark seconded, and the motion passed 7-0-1 (Sanders).

Spoljaric moved to delegate secondary plat approval to staff.

Skelton seconded, and the motion passed by voice vote.

0608-DP-22 & 4205 East 186th Street. Cumberland Pointe, LLC requests Development Plan
0608-SPP-09 and Preliminary (primary) Plat review of an Addition to the Andover Place Villas,
60 units on 11 acres, in the Andover PUD District.

Spoljaric left the meeting at 11:41 p.m.

Del Greco moved to approve 0608-DP-22 with the following conditions:

1. That the petitioner complies with any requirements from the Westfield Public Works Department;
2. That the petitioner complies with any requirements from the Hamilton County Surveyor's Office;
3. An amended landscaping plan depicting compliance with the applicable buffering and on-site requirements be submitted before the approval of a secondary plat for the subject site.
4. An amended lighting plan depicting compliant foot-candle outlays be submitted before the approval of a secondary plat for the subject site.
5. That these conditions be fulfilled prior to receiving a building permit.

Clark seconded, and the motion passed 6-0-1 (Sanders).

Hart moved to approve 0608-SPP-09 with the following condition:

- That all conditions attached to the associated Development Plan Review shall be satisfied prior to the recording of any secondary plat.

Skelton seconded, and the motion passed 6-0-1 (Sanders).

Clark moved to delegate final plat approval to staff.

Stevenson seconded, and the motion passed by voice vote.

Skelton recused herself from 0608-REZ-06 and left the meeting at 11:44 p.m.

0608-REZ-06 16715 Carey Road. RSL Case Construction requests a change in zoning for
40 acres from the AG-SF-1 District to the SF-2 District.

Hardin presented the details of the project and requested a waiver of going to subcommittee. He stated neighborhood meetings have been held. He further requested suspension of the rules in order to be forwarded on to Town Council with a favorable recommendation.

Morales asked where the pipelines were.

Hardin responded there are four and shared a visual showing the pipelines.

A Public Hearing opened at 11:50 p.m.

Ms. Valerie Howard stated she was not notified of any neighborhood meeting and asked about the tree line.

The Public Hearing closed at 11:55 p.m.

Hardin responded to the public hearing comments.

Hardin committed to a tree preservation plan which would include the number and types of trees.

Clark moved to suspend the rules and not send 0608-REZ-06 to Subcommittee.

The motion was not seconded and therefore failed.

Sanders moved to refer 0608-REZ-06 to the Comprehensive Plan Subcommittee of the Advisory Plan Commission for consideration at the September 6, 2006 meeting.

Del Greco seconded, and the motion passed by voice vote.

Director's Report

Buchheit introduced Community Development's newest staff member, Jennifer Miller.

The meeting adjourned at 12:06 a.m.

President

Secretary